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CERTIFICATE OF MAILING

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Attorney for Applicant

PATENT
File No. 1042.2.3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of	Donald T. Comer)
)
Serial No.:	10/826,239) Art Unit
) #2819
Filed:	April 16, 2004)
)
For:	RESPONSE-BASED ANALOG-TO-DIGITAL CONVERSION APPARATUS AND METHOD)
)
)
Examiner:	Joseph Lauture)

RESPONSE TO OFFICE ACTION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the communication from the Examiner mailed November 1, 2004, applicant is submitting a TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT in compliance with 37 CFR 1.321(c) as suggested by the Examiner during an interview on January 3, 2005. The corresponding document is included

herewith as well as the Terminal Disclaimer fee under 37 CFR 1.20(d) and the corresponding fee transmittal sheet.

In the event that the Examiner finds any remaining impediments to the prompt allowance of the above-referenced application which could be clarified in a telephone conference, the Examiner is respectfully urged to initiate the same with the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "B. C. Kunzler", is written over a horizontal line.

Brian C. Kunzler
Reg. No. 38,527
Attorney for Applicant

Date: February 21, 2005

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